

AN ORDINANCE 100917

ADOPTING THE FISCAL YEAR 2005-2006 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) IN THE AMOUNT OF \$960,000.00 AS CONTAINED IN THE FISCAL YEAR 2005-2006 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FISCAL YEAR 2005-2006 HOPWA PROGRAM; DESIGNATING THE FISCAL YEAR 2005-2006 HOPWA PROGRAM FUNDS; APPROPRIATING THE FISCAL YEAR 2005-2006 PROGRAM FUNDS IN THE AMOUNT OF \$960,000.00; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH THE FISCAL YEAR 2005-2006 HOPWA PROGRAM AND THE PROJECTS THEREUNDER; AND THE SUBMISSION OF THE HOPWA GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2005-2006 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

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WHEREAS, the U.S. Department of Housing and Urban Development (HUD), pursuant to the Housing and Community Development Act of 1974, as amended (Public Law 93-383), provides cities with annual grant support to enable the acquisition and/or rehabilitation of facilities, supportive services and operations in their urban communities so as to improve conditions for persons with HIV/AIDS and their families; and

WHEREAS, the City of San Antonio, through its Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) Program, has administered HOPWA Entitlement grant funds annually beginning with fiscal year 1995-1996 (Year 1) and continuing through fiscal year 2004-2005 (Year 10); and

WHEREAS, pending completion of all required administrative procedures required for official HUD release of funds, fiscal year 2005-2006 HOPWA Entitlement funds in the amount of \$960,000.00 will become available to the City; and

WHEREAS, as required by federal regulation, the Fiscal Year 2005-2006 Consolidated Plan Annual Budget was prepared, encompassing grant funds of the 31st Year CDBG, 14th Year HOME, 11th Year Emergency Shelter Grant and the 11th Year Housing Opportunities for Persons with AIDS Grant; and

WHEREAS, citizen recommendations regarding the allocation of the aforesaid grant funds have heretofore been received at neighborhood and city-wide meetings and at public hearings, notices of which were duly posted; and

WHEREAS, pursuant to applicable HUD regulations designed to ensure adequate citizen input, a public hearing is required in this instance; and

WHEREAS, the required notice having been duly published, and said public hearing having been held before City Council on May 19, 2005, it is now the desire of the City, having considered the aforesaid citizen recommendations, to approve the HOPWA Budget as part of the Fiscal Year 2005-2006 Consolidated Plan Annual Budget and to fund the 11th Year HOPWA Program on the City's books; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) Program Budget of the Fiscal Year 2005-2006 Consolidated Plan Annual Budget is hereby approved and adopted as set forth therein, copies of which are affixed hereto and incorporated by reference herein as Attachment I.

SECTION 2. The Fiscal Year 2005-2006 Housing Opportunities For Persons With AIDS Entitlement Block Grant (HOPWA) Program beginning October 1, 2005 and terminating September 30, 2006 is hereby authorized.

SECTION 3. The Interim City Manager, or, in his stead, either an Assistant City Manager, an Assistant to the City Manager or the Housing and Community Development Director is hereby authorized to submit to the U.S. Department of Housing and Urban Development (HUD) those documents set forth herein as Attachment I, with certifications, as well as such other information as required by HUD for award of the aforesaid entitlement funds.

SECTION 4. Subject to and upon award of the aforesaid grant funds, the Interim City Manager, or, in his stead, either an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives is hereby authorized to accept same and to execute any and all documents required by HUD in connection therewith.

SECTION 5. Fund No. 26054000 entitled, "HOPWA FISCAL YEAR 2005-2006 ENTITLEMENT GRANT" is hereby designated for use in accounting for the above-stated grant and the sum of \$960,000.00 is hereby appropriated in said fund for allocation to projects as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment I.

SECTION 6. The Interim City Manager, or in his stead, either an Assistant City Manager, an Assistant to the City Manager, the Director of Housing and Community Development or the Director of Community Initiatives is hereby authorized and directed to carry out the administration of the Fiscal Year 2005-2006 HOPWA Program. Such administration shall include, but not be limited to, the execution of any and all contracts and other documents necessary in connection with the Fiscal Year 2005-2006 HOPWA Program, an example of which in substantially final form is affixed hereto and incorporated herein for all purposes as Attachment II, and the reaffirmation of any and all assurances required of the City by HUD, and shall also include the execution of a professional

services contract for the development and implementation of a needs assessment on housing for persons with HIV/AIDS in connection with the Fiscal Year 2005-2006 HOPWA Program.

SECTION 7. The Director of Community Initiatives is hereby designated the Program Manager for the HOPWA Program. Further program responsibilities shall be as follows:

- (a) The Community Initiatives Department shall administer and monitor all HOPWA programs and fiscal activities and requests; shall monitor, where applicable, fair housing compliance and shall administer the handling and resolution of complaints related thereto;
- (b) The Human Resources Department shall monitor all projects and sub-agencies as necessary for compliance with all equal employment opportunity rules, regulations, policies and laws;
- (c) The Department of Economic Development shall monitor all projects and sub-agencies as necessary for compliance with local, state and federal MBE-WBE rules, regulations, policies and laws; and
- (d) The Internal Review Office shall accomplish fiscal and program compliance audits of the sub-grantee agencies in the Fiscal Year 2004-2005 HOPWA program in compliance with OMB A-133, and in coordination with the City's annual independent audit.

SECTION 8. The personnel classifications and pay ranges set forth in Attachment II affixed hereto and incorporated herein for all purposes are hereby authorized for carrying out aspects of the approved Fiscal Year 2005-2006 HOPWA Program.

SECTION 9. All Assistant City Managers, Assistants to the City Manager, the Housing and Community Development Director and the Community Initiatives Director are hereby designated and authorized as representatives of the Interim City Manager for the purpose of HOPWA program administration and communication with HUD.

SECTION 10. The Community Initiatives Director is hereby authorized to execute any and all agreements with delegate agencies and/or City departments for each project and for the amounts appropriated as delineated in Attachment I. Delegate agency contracts and interdepartmental agreements are hereby required to contain acceptable detailed performance indicators for each project and the information for such contracts and agreements must be finalized by no later than November 1, 2005 in order to facilitate their execution. The Directors of the Community Initiatives and Finance Departments are hereby authorized and directed to automatically cancel and move the full budget allocation provided to any project, including City Department project allocations, for which acceptable performance indicators are not provided, or for which information for contract/interdepartmental agreement execution has not been received by the appropriate City department by November 1, 2005, to the HOPWA Contingency Account in preparation for timely reprogramming to other eligible activities.

SECTION 11. The Director of the Community Initiatives Department and/or the Director of Housing and Community Development are hereby authorized to cancel and reprogram any and all budget allocations provided to any project, in the event, any delegate agency contract and/or interdepartmental agreement is not executed by January 1, 2006.


SECTION 12. The Interim City Manager, or, in his stead, either an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives Department is hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated.

SECTION 13. The Interim City Manager, or, in his stead, either an Assistant City Manager, an Assistant to the City Manager, the Housing and Community Development Director or the Director of Community Initiatives Department is hereby authorized to complete all documents required by HUD to officially close projects and program financial records following completion of the contracted scope-of-work.

SECTION 14: The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

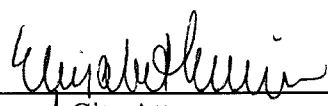
SECTION 15. This ordinance shall be effective on and after the 29th day of May, 2005.

PASSED AND APPROVED this 19th day of May, 2005.


MAYOR
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: 5D.

Date: 05/19/05

Time: 05:43:14 PM

Vote Type: Multiple selection

Description: An Ordinance adopting the Fiscal Year 2005-2006 Housing Opportunities For Persons With Aids Entitlement Grant (HOPWA) in the amount of \$960,000.00 as contained in the Fiscal Year 2005-2006 Consolidated Plan Annual Budget; authorizing the Fiscal Year 2005-2006 HOPWA Program; designating the Fiscal Year 2005-2006 HOPWA Program Funds; appropriating the Fiscal Year 2005-2006 Program Funds in the amount of \$960,000.00; allocating program funds to projects; establishing accounts; delineating program responsibilities; authorizing personnel classifications and pay ranges; authorizing the execution and submission of contracts and other documents as necessary in connection therewith; and providing for payment; authorizing execution of all required contracts and related documents in connection with the Fiscal Year 2005-2006 HOPWA Program and the projects thereunder; and the submission of the HOPWA Grant to the U.S. Department of Housing and Urban Development (HUD) for Fiscal Year 2005-2006 Consolidated Plan Annual Budget, certification and other information as required to HUD.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		